

REMARKS

Claims 1-5 are presently in this application.

Claim 1 has been rejected under sec. 112 as being indefinite and has been further rejected under sec. 102 as being anticipated by USPN 4,593,816 to Langenbeck.

Claim 1 has been cancelled and replaced by new claims 2-5. It is believed that this moots the examiner's rejection under sec. 112. Moreover, claims 2-5 are believed to be patentable over all of the prior art on record for the following reasons.

Claim 2 specifies that each tray unit have a single end wall and that no end wall should extend from the other end of the bottom portion. This allows the two tray units to be assembled as a storage tray of adjustable length with selected indentations and protrusions interlocking to provide a selectable length for the tray. Not only do the indentations and grooves provide a means for selecting the lengths of the storage tray but they also prevent unwanted slippage between the tray units after assembly and also provide additional stability and stiffen to the respective bottom portions and sidewalls of the tray units.

The Langenbeck reference, on the other hand, has end walls at both ends of the bottom member 13 and the tray described by Langenbeck does not have adjustable length. The remainder of the references while appearing to teach various types of adjustable size trays, do not suggest the use and cooperation of the transverse indentations and protrusions which provide means for selecting the length of the storage tray in predefined increments defined by the longitudinal distance between the indentations and protrusions. Moreover as indicated above, these indentations and protrusions provide additional stiffness and stability to the tray units which is not believed to be provided by the ridges 4 and 4" of the cake pan described in the Danziger reference.

It is also noteworthy that none of the cited references are from the art of providing storage facilities for vehicles and it is questionable that it would be obvious to use feature from the cake pan art for vehicle storage application. The examiner shows no motivation for a skilled practitioner in the vehicle storage art to use features found in the cake pan art especially in view of the more stringent stiffness and stability requirements in a vehicle storage unit as compared with a cake pan. In this regard, new claim 3 adds further patentable subject matter by providing means for connecting the storage tray to the sidewall of the truck bed.

Claim 4 further defines the invention by providing for a flange on the top edge of the outside wall of the storage unit (the wall furthest from the sidewall of the truck bed after the inside wall of the storage unit is connected to the sidewall of the truck bed). This flange provides additional stiffness and stability to the adjustable storage tray.

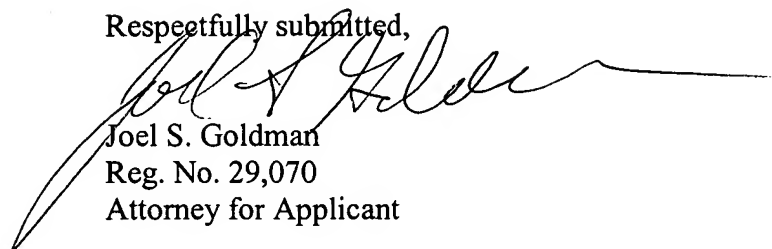
Finally, claim 5 provided for biscuits to fit within the indentations of the tray units illustrating the multiple roles played by the transverse indentations of the present invention. Although the Langenbeck reference suggests use of transverse indentations to provide a track for separator biscuits, Langenbeck does not suggest use of the indentations in cooperation with complementary protrusions to provide for incremental adjustment of the length of the storage tray while at the same time providing both longitudinal and transverse stability and stiffness for the assembled storage tray.

In view of the above, the application is now believed to be in condition for allowance and passage of the application to issue including new claims 2-5 is therefore respectfully requested.

A check in the amount of \$ 225.00 is enclosed for an extension of time to submit this Amendment to May 15, 2006. This amount is believed to be correct; however, the Commissioner

is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501982.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joel S. Goldman", is written over the typed name and title.

Joel S. Goldman


Reg. No. 29,070

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as U.S. Express Mail in an envelope addressed to the Commissioner for Patents, Mail Stop Amendment, Post Office Box 1450, Alexandria, Virginia 22313-1450.


Reg. No. 29,070

Date: May 10, 2006